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PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

10/565,533

Filing Date

January 18, 2006

First Named Inventor

Robert Andrew Slade et al.

Art Unit

Unknown

Examiner Name

Unknown

Attorney Docket Number

37642-2

### ENCLOSURES (Check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment/Reply
  - After Final
  - Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Reply to Missing Parts/ Incomplete Application
  - Reply to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation
- Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_
- Landscape Table on CD

- After Allowance Communication to TC
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please Identify below):

#### Remarks

1. Form SB 08A (1 page)
2. Form SB 08B (1 page)
3. Information Disclosure Statement (3 pages)
4. 6 references
5. return postcard

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Thelen Reid & Priest

Signature

Printed name

Todd A. Holmbo

Date

April 20, 2006

Reg. No. 42,665

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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Debbie Jenkins

Date April 20, 2006

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Attorney Docket No. 37642-2

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Robert Andrew Slade et al  
SERIAL NO.: 10/565,533  
FILING DATE: January 18, 2006  
TITLE: MAGNETIC PARTICLES FOR THERAPEUTIC TREATMENT  
CUSTOMER NO: 55734  
EXAMINER: Unknown  
ART UNIT: Unknown

**COMMISSIONER FOR PATENTS**  
**P.O. Box 1450**  
**ALEXANDRIA, VA 22313-1450**

**INFORMATION DISCLOSURE STATEMENT**

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicant hereby submits this Information Disclosure Statement (IDS) including Form PTO SB/08A and PTO SB/08B containing a list of references which may be material to the examination of the above-referenced application. This submission is not to be construed as a representation that a prior art search has been conducted, that additional information material to the examination of this application does not exist, or that any one or more of the listed references constitutes prior art.

The Examiner is urged to carefully consider this Information Disclosure Statement and all the listed references, and to indicate same by initialing the appropriate portion(s) of Form PTO SB/08A and PTO SB/08B and forwarding an initialed copy to applicant.

If this box  is checked, this application was filed after June 30, 2003 and qualifies for the blanket waiver of deposit of copies of U.S. Patents and U.S. Patent Application Publications in accordance with the written waiver of 37 CFR §1.98 (a)(2)(i) Official Gazette Published in Official Gazette Notices of August 5, 2003 (1273OG55). Accordingly, such copies are not submitted.

I

This statement is filed pursuant to (**CHECK ONE BOX**):

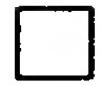


**37 C.F.R. § 1.97(b).**

This information disclosure statement is filed either:

- (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application;
- (3) before the mailing date of a first office action on the merits; or
- (4) before the mailing of a first office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114, whichever event occurs last.

**Accordingly, this information disclosure statement requires no fee and no certification.**



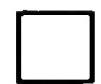
**37 C.F.R. § 1.97(c).**

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97(b), but **before** the mailing date of any of the following:

- (1) a final action under 37 C.F.R. § 1.113;
- (2) a notice of allowance under 37 C.F.R. § 1.311; or
- (3) an action that otherwise closes prosecution in the application.

**Accordingly, this information disclosure statement requires either:**

- (1) the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c); or
- (2) a certification according to 37 C.F.R. § 1.97 (e)(1) or (2).



**37 C.F.R. § 1.97(d).**

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97 (c).

**Accordingly, this information disclosure statement requires:**

- (1) a certification in accordance with 37 C.F.R. § 1.97(e); and
- (2) the fee specified in 37 C.F.R. § 1.17 (p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d).

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. §1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. **To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.**

**II**

Fees Due (**CHECK ONE BOX**):

- No fee is due.
- The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) or 37 C.F.R. § 1.97(d) is enclosed (\$180).

**III**

Certification (**CHECK ONE BOX**):

- No certification is necessary.
- Pursuant to 37 C.F.R. § 1.97(e)(1), the undersigned hereby certifies:  
That each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- Pursuant to 37 C.F.R. § 1.97(e)(2), the undersigned hereby certifies:  
No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this information disclosure statement.

Please charge any additional required fee or credit any overpayment to our deposit account number 50-1698.

Respectfully submitted,

April 20, 2006

Date:

  
**Todd A. Holmbo**, Attorney for Applicant  
Reg. No 42,665  
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**Substitute for form 1449/PTO**

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

St

1

of 2

**Complete if Known**

Application Number	10/565533
Filing Date	January 18, 2006
First Named Inventor	Robert Andrew Slade et al.
Art Unit	Unknown
Examiner Name	to be assigned
Attorney Docket Number	37642-2

## **U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08B (07-05)

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Substitute for form 1449/PTO		<b>Complete if Known</b>			
		<b>Application Number</b>	10/565,533		
		<b>Filing Date</b>	January 18, 2006		
		<b>First Named Inventor</b>	Robert Andrew Slade et al.		
		<b>Art Unit</b>	Unknown		
		<b>Examiner Name</b>	to be assigned		
Sheet	2	of	2	Attorney Docket Number	37642-2

<b>NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	6	EATON et al. Immunoconjugates: Current Status and Future Potential. Journal of Drug Targeting 2002; 10(7):525-527 (Abstract only)		T <sup>2</sup>
	7	HALBREICH et al. "Damage to the protein synthesizing apparatus in mouse liver in vivo by magnetocytolysis in the presence of hepatospecific magnetic nanoparticles". Jnl of Magnetism and Magnetic Materials 248 (2002) 276-285		
	8	JONES et al. "Treatment of experimental rabbit liver tumours by selectively targeted hyperthermia". Int J Hyperthermia 2002, 18(2): 117-28 (Abstract only)		
	9	JORDAN et al. "Magnetic Fluid Hyperthermia" Scientific and Clinical Applications of Magnetic Carriers. 1997; 569-595, XP000858786		
	10	JORDAN et al. "Presentation of a new magnetic field therapy system for the treatment of human solid tumors with magnetic fluid hyperthermia" J of Magnetism and Magnetic Materials: 225(2001) 118-126		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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